

**PRIVATE SECURITY SERVICES ADVISORY BOARD
PROPRIETARY COMMITTEE MEETING MINUTES
AUGUST 19, 2002
Held at American Home Products, Richmond, Virginia**

At approximately 10:00 a.m. Chairman Robbie Robertson called the meeting to order. Those present at the meeting were as follows:

PROPRIETARY

Ken Obriot – Wyeth

Dale Gouldman – Anthem

Jeff Haykin – Wachovia

Brian Patterson – Capital One

Guy Axtell – Philip Morris

Nick Haynes – Westminster – Canterbury

PISA REPRESENTATIVE

Lynn Oliver – American Security Programs

PSSAB MEMEBRS

ROBBIE ROBERTSON – CHAIRMAN

BRENT FORTNER - VICE CHAIRMAN

Chairman Robertson thanked everyone for coming. It was explained to the group that the purpose of the committee was to hear discussion regarding the regulation of proprietary and then make a recommendation to the Private Security Services Advisory Board regarding this matter.

Comments by the group were very vocal. Questions were asked such as what was the number of incidents involving proprietary that would require regulation.

The proprietary members of the group felt that their training was far above the requirements that are required by DCJS. They felt that at one time weapons were an issue but this has been addressed by regulations. There was also a concern for the cost. Those present who represent the banking industry stated they were already regulated by the nature of their business. Nick Hayes from Westminster-Canterbury read a letter that sums it up. Letter is attached and is part of these minutes.

Chairman Robertson called for a motion. Motion was made by Dale Gouldman that the Private Security Services Advisory Board not support HB 403 or any bill that would regulate proprietary security. Motion was seconded by Nick Haynes.

Chairman Robertson called for the vote. Ken Obriot, Dale Gouldman, Jeff Haykin, Brian Patterson, Guy Axtell, and Nick Hayes voted for the motion. Lynn Oliver voted against. Chairman Robbie Robertson and Vice Chairman Brent Fortner abstain.

Based on the vote, Chairman Robertson announce that the recommendation from the committee to the Private Security Services Advisory Board would be not support HB403 or any other bill that would regulate proprietary security.

Attachments:

Letter from Nick Hayes

E-mail from Gene Hickman, Director of Security, Chrysler Museum of Art

Ladies and Gentlemen:

It is my opinion that in order for proposed legislation to become law, the Commonwealth must derive some benefit from it, This proposal does not meet this requirement.

As a representative of the proprietary security community, being the Security Manager for Westminster-Canterbury Richmond, I have had great opportunities to meet with area security professionals and discuss this proposition to regulate proprietary security. As I know as I can tell, there is not much support for it here. However, please understand that other than ASIS, the ranks of proprietary security are not organized under the direction of DCJS, so they are not as easy to get in touch with as those requiring licensing. Considering this, I hope that the few voices you hear today opposing this proposal will be taken as proportionate to those of the regulated agencies.

As far as I know, there has been no research for this proposal and as an area security professional outspoken on this topic, I have only recently been approached regarding the benefits or pitfalls of such a proposal. I understand this is not the first year this sort of proposal has been submitted, and given that this proposal has never survived indicates to me that this proposal does not possess the substance needed to regulate away the freedom of decent successfully self-regulating agencies.

In the early 1970's the Virginia legislature decided to regulate contract security agencies. Doesn't it stand to reason that they purposefully omitted proprietary security from this regulation for a reason? I believe that reason was because the law-makers did not want to regulate anyone they did not need to. Doesn't that reasoning still hold trite today?

Ladies and Gentlemen, there is nothing to be gained from this proposal. I believe it was submitted for the pecuniary interest of a few people that have not even had the common decency to inquire of the proprietary industry their thoughts and concerns. Considering this very fact makes one dubious of the motivation of this proposal.

Leon Baker, Section Chief of DCJS, Private Security Section said that as far as he knew, proprietary security has done nothing in the past to warrant such a proposal. He said this at a meeting of the Richmond Chapter of the American Society for Industrial Security, of which I was the Chair at the time.

Ladies and Gentlemen, where is the value in this proposal? I have been opposing this sort of proposal for three years. The only benefit the Commonwealth will reap is that of increased fees. What does the proprietary industry benefit from these fees and this regulation? Certainly not their money's worth.

The security industry has nothing to benefit from this proposal. Consider that if my staff were armed, we would fall under the purview of DCJS anyway. We are talking about a mass of security people who do not hire their service out to anyone, don't go anywhere and are unarmed. I can speak with authority that the overwhelming majority of proprietary security departments are better trained than most of the best of the contract security agencies. Have you ever heard of a security officer flunking security school? Most of our organizations have a better selection process, and jump through way more hoops when it comes to background investigations. Regulating us would only bring us down to the level of contract security organizations whose ambitions cannot be met as it is.

Lastly, the Commonwealth has nothing to benefit from this pile of regulation for reasons I have already explained. Consider also the fact that the efforts of the DCJS are taxed the way things are. Put more on their plate for no reason and you have increased their responsibility — a responsibility they have trouble meeting the way things are.

Dog chasing its Tail!

Ladies and Gentlemen, clearly the proprietary security industry is not broken. Since it is not broken, there is nothing to fix, if this proposal is passed, it will only be because *you can*. That is a pitiful reason to legislate away the freedom of operation for a business. I ask that you use your good judgment and abandon this proposal. No one has anything legitimate to gain and I believe it would be a mistake to regulate someone who does not need or want to be regulated.

– WHO DECIDES “WHAT” IS SECURITY?

Thank you for the opportunity to voice my opinions. God Bless.

– WHY ISN'T PROP SECURITY REPRESENTED ON BOARD?

Subj: RE: Proprietary Security Committee
Date: 8/15/2002 10:19:03AM Eastern Daylight Time
From: ghickman@chrysler.org
To: RR0B957@aol.com
Sent from the Internet (Details)

Thanks for the reply. I appreciate the opportunity to provide input to your committee. Due to other commitments I won't be able to attend the meeting next week, but we have some concerns about being regulated by the state in the same manner as private security. They include but are not limited to:

- * Increased expenses such as business license fees, employee registration fees, training costs and the costs associated with ensuring compliance, a business might pass these added costs along to customers in the form of higher prices for their products or services, but institutions like ours, nonprofits, don't generally have such revenue sources. The way a non-profit might have to deal with them is to provide fewer services. That certainly is not desirable.
- * Additional staff may be required to process and track compliance with regulations. This, of course, would mean increased expenses also.
- * Quality may be reduced because of the tendency to focus on regulatory requirements to the detriment of the institution's needs.
- * It is unlikely the regulatory agency will have staff experienced and trained in the wide variety of organization types that will be regulated. This means it cannot be responsive to the needs of those organizations.

Mr. Robertson, these are some of our concerns. Thank you for allowing me to express them. I look forward to hearing the results of your investigation into this matter.

Gene Hickman
Director of Security
Chrysler Museum of Art
Norfolk, VA

757.333.6272
ghickman@chrysler.org

Original Message
From: RR0B957c~aol.com [SMTP: RR0B957@aol.com]
Sent: Wednesday, August 14, 2002 5:44 PM
To: Gene Hickman
Subject: Re: Proprietary Security Committee

Gene:

Thank you for your interest. We are conducting a fact finding meeting. The purpose of the meeting is to hear from proprietary people as to how they feel about being regulated. Our meeting is open but we have limited space. I would be glad to take your concern or comments to the meeting.

Robbie Robertson
PSSAB Vice -Chair
Co-Chair Proprietary committee